

V. REMARKS

Entry of the Amendment is proper under 37 C.F.R. §1.116 because the Amendment: a) places the application in condition for allowance for the reasons discussed herein; b) does not raise any new issue requiring further search and/or consideration because the Amendment amplifies issues previously discussed throughout prosecution; c) does not present any additional claims without canceling a corresponding number of finally rejected claims; and d) places the application in better form for appeal, should an Appeal be necessary. The Amendment is necessary and was not earlier presented because it is made in response to arguments raised in the final rejection. The amendments to the subject claims do not incorporate any new subject matter into the claims. Thus, entry of the Amendment is respectfully requested.

Claims 1-7 are rejected under 35 U.S.C. 103(a) as unpatentable over Hirota (EP 691 517) in view of Izumi (U.S. Patent No. 3,858,406). Claims 1-7 are canceled and therefore the rejection as applied thereto is now moot.

Withdrawal of the rejection is respectfully requested.

Claims 8-10 include features not shown in the applied art.

Claim 8 is directed to an expansion valve assembly as shown in Figures 1-4. The expansion valve assembly includes an expansion valve cassette unit, a housing and a generally flat flange. The housing has a housing refrigerant path extending along a longitudinal direction and an expansion valve cassette unit hole in fluid communication with and extending transversely to the refrigerant path and sized for accommodating the expansion valve cassette unit via a seal member. The housing refrigerant path includes a refrigerant entrance hole and a refrigerant exit hole formed into a common side surface of the housing with the refrigerant entrance hole and the refrigerant exit hole extending parallel to one another.

The flange has a refrigerant entrance path defined by a first pipe section and a refrigerant exit path defined by a second pipe section. The first and second pipe sections project from a common flat surface of the flange and extend parallel to one another. The refrigerant entrance hole is sized and adapted to receive the first pipe section in a sealed manner and the refrigerant exit hole is sized and adapted to receive

the second pipe section in a sealed manner. The flange is connected to the housing with the flat surface of the flange and the common side surface of the housing being in face-to-face contact with each other.

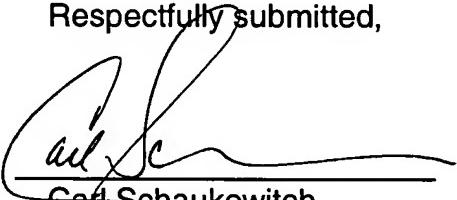
It is respectfully submitted that the applied art fails to teach an expansion valve assembly having the features recited in newly-added claim 8, particularly the flange feature and recited in claims 9 and 10.

In view of the foregoing, reconsideration of the application and allowance of the pending claims are respectfully requested. Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Should additional fees be necessary in connection with the filing of this paper or if a Petition for Extension of Time is required for timely acceptance of the same, the Commissioner is hereby authorized to charge Deposit Account No. 18-0013 for any such fees and Applicant(s) hereby petition for such extension of time.

Respectfully submitted,

By:


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Enclosure(s): Amendment Transmittal

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